

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael Dho Spangfort et al.

Application No.: 10/091,135

Confirmation No.: 5158

Filed: March 4, 2002

Art Unit: 1644

For: **RECOMBINANT HYBRID ALLERGEN**
CONSTRUCTS WITH REDUCED
ALLERGENICITY THAT RETAIN
IMMUNOGENICITY OF THE NATURAL
ALLERGEN

RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Office Action for the above-identified application that was mailed June 20, 2007. A petition for an extension of time and the required fee are submitted herewith to extend the time for response to November 20, 2007.

The Office Action set forth a requirement to elect a single species of disclosed peptide epitope sequence as recited in claims 36-45, for examination on the merits should no generic claim be finally held to be allowable. In response, Applicants elect hybrid proteins wherein the peptide epitope sequence is from allergen Ves v 5 (*see* claim 44). Each of the sequences set forth in claim 17 read on the elected species of a peptide epitope sequence from allergen Ves v 5. To the extent the Examiner requires further election among the sequences set forth in claim 17, Applicants further elect the Ves v 5 peptide epitope PKKKFSGND (SEQ ID NO: 11). All elections

are for examination on the merits should no generic claim be finally held to be allowable. All elections are made without traverse.

Claims 1-4, 7-18 and 44 are believed to read on the elected species,

This application is believed to be in condition for allowance, which is earnestly solicited.

Dated: November 16, 2007

Respectfully submitted,

By 
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